

3795. Misbranding of Ebrey Extract. U. S. v. 144 Bottles * * *. (F. D. C. No. 33235. Sample No. 38153-L.)

LABEL FILED: May 8, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about July 13, 1951, by the Ebrey Chemical Works, from Humacao, P. R.

PRODUCT: 144 3-ounce bottles of *Ebrey Extract* at New York, N. Y. Some of the bottles were labeled in the Spanish language, and others were labeled in part in the Spanish language and in part in the English language.

LABEL, IN PART: "Anticalculina Ebrey Extracto Ebrey Indicada Como Diuretico Y En Los Catarros Vesicales" or "Ebrey Extract A Soothing Diuretic to Kidneys and Bladder Alcohol 28% Active Ingredients: Fluid Extracts of Uva Ursi, Buchu, Corn-Silk (Zea), Sabal (Serenoa), Cubeb and Juniper, compounded with physiologically inactive Chlorophyll as an excipient. Contents 3 fl. ounces."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements "Anticalculina * * * Indicada Como Dieuretico Y En Los Catarros Vesicales" appearing on some of the bottle labels and the statement "Soothing Diuretic to Kidneys and Bladder" appearing on some of the bottle labels and on all of the carton labels were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for kidney stones, bladder stones, inflammation of the bladder, and irritations of the kidneys and bladder. The article was not an adequate and effective treatment for such conditions.

DISPOSITION: July 3, 1952. Default decree of condemnation and destruction.

3796. Misbranding of Sobar. U. S. v. 67 Bottles, etc. (F. D. C. No. 33318. Sample No. 37646-L.)

LABEL FILED: July 1, 1952, Southern District of New York.

ALLEGED SHIPMENT: During October 1951, by Horace M. Carter, from Rutland, Vt.

PRODUCT: 67 ½-ounce bottles of *Sobar* at New York, N. Y., in possession of Frailey Industries, Inc., together with a number of streamers reading "Morning after? Get Sobar Ask Prescription Clerk" and "For Relief of Overindulgence in Alcoholic Beverages Morning after? Get Sobar" and a number of leaflets entitled "SOBAR What It Is," which streamers and leaflets were printed locally for the consignee.

LABEL, IN PART: (Bottle) "SOBAR For the relief of the symptoms of ordinary Overindulgence in Alcoholic Beverages Active Ingredients: Chlorophyllins * * * Thiamine Hydrochloride, U. S. P. Sodium Salicylate, U. S. P. Citrated Caffeine, U. S. P. Alcohol 23% * * * Distributed by Frailey Industries, Inc. New York, N. Y. * * * To 'sober up' quickly."

NATURE OF CHARGE: Misbranding, Section 502 (a), the bottle labels contained the designation "Sobar" and statements which represented and suggested that the article was an adequate and effective treatment for acute alcoholism, which statements were false and misleading since the article was not an adequate and effective treatment for acute alcoholism. The article was misbranded in this respect when introduced into and while in interstate commerce.

Further misbranding, Section 502 (a), the leaflets and streamers accompanying the article contained statements which represented and suggested

that the article was an adequate and effective treatment for acute alcoholism and was capable of oxidizing the alcohol in the system quickly, which statements were false and misleading since the article was not effective for such purposes. The article was misbranded in this respect while held for sale after shipment in interstate commerce.

DISPOSITION: August 22, 1952. Default decree of condemnation and destruction.

3797. Misbranding of Shiatsuryoho Instrument (also known as Shiatsuryoki Instrument). U. S. v. 134 Devices * * *. (F. D. C. No. 31978. Sample No. 28399-L.)

LABEL FILED: November 5, 1951, District of Hawaii.

ALLEGED SHIPMENT: On or about December 26, 1950, by Tatemi Fukunaga Nippon Kosan, Inc., from Tokyo, Japan.

PRODUCT: 134 *Shiatsuryoho Instruments* (also known as Shiatsuryoki Instruments) at Honolulu, T. H., together with a number of booklets entitled "The distinguished features of the newly designed instrument 'Shiatsuryoki'" and a number of leaflets entitled "Shiatsuryoho Instrument."

The device consisted of a group of metal needle points mounted on the end of a core, so encased in a tube with a spring that by hand pressure the needle points can be protruded from the end of the tube against the skin.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above booklets and leaflets accompanying the devices were false and misleading. The statements represented and suggested that the device was an adequate and effective treatment for neuralgia, rheumatism, stiff back, mental disease, giddiness, arteriosclerosis, nervous break-down, hysteria, headache, facial neuralgia, insomnia, eye conjunctivitis leading to blindness, earache, hiccoughing, nasal catarrh, tonsillitis, upper limb ailments, asthma, hemorrhage of lungs, thyroid trouble, morbus basedow, eye disease, liver and gall ailments, intestinal tuberculosis, bronchitis, heart disorders, heart and bronchial ailments, pleurisy, pneumonia, heart paroxysm, jaundice, hyperaemia, acidosis, stomach trouble, chills, skin eruptions, diarrhea, mumps, indigestion, dilatation of stomach, stomach catarrh, stomach ulcers, gastroptosis, intercostal neuralgia, diabetes, pancreas trouble, ailments of intestines, malaria, polio, bladder trouble, uremia, obesity, lumbago, nephritis, nervous disorder of upper colon, ailment of uterus and prostate gland, dislocation of stomach, intestines, colon, and uterus, sterility, constipation, menorrhea, orchitis (inflammation of testicles), ovaritis, leucorrhea, suppression of menses, piles, rupture, backache, hip gout, difficulty in walking, colds, coughing, diseases of genital organs, heart diseases, splenic ailment, peritonitis, cystitis, gonorrhea, habitual constipation, sinus trouble, bed wetting, tympanitis, toothache, inflammation of lymphatic gland, whooping cough, goiter, low fever, neuritis, atonia, gastroptosis, colon catarrh, appendicitis, and beriberi; and that the device was an adequate and effective treatment to vitalize the bodily function, to accelerate regeneration, to stimulate blood circulation, causing the white corpuscles of the blood to destroy bacteria which might be present in the locality of the ailment, and to cause physiological readjustment, resistance, and recovery. The statements were false and misleading since the device was not an adequate and effective treatment for the above conditions.

DISPOSITION: July 31, 1952. Default decree of condemnation and destruction.